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Attorneys for Plaintiff

IN THE UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

JASON ISBELL,

Plaintiff,

vs.

UNITED STATES, ex rel UNITED STATES  
DEPARTMENT OF TRANSPORTATION/  
FFA

Defendant

Case No.: CV-09-09-H-RKS

COMPLAINT AND DEMAND  
FOR JURY TRIAL

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Plaintiff for his complaint against Defendant alleges the following:

I.

Plaintiff is a citizen and domiciled within Lewis and Clark County, State of Montana.

II.

Defendant is the United States of America and its Department of Transportation/ FFA.

III.

The amount in controversy exceeds \$75,000.

IV.

On June 6, 2008 at approximately 4 p.m., Plaintiff was driving his vehicle in a westerly direction along Lawrence Street in Helena, Montana. As he was proceeding past the intersection of Lawrence and Cruise Avenue, an employee of the Defendant, Brian Dunlop, did blow through a stop sign headed in a southerly direction and crashed his government vehicle into Plaintiff's vehicle.

V.

Defendant, acting by and through its employee, Brian Dunlop, was solely negligent and was solely the cause of the crash between the two vehicles.

VI.

Said employee was grossly and recklessly negligent in failing to be observant, failing to stop at a stop sign, failing to yield traffic to Plaintiff who had the right-of-way as Plaintiff was proceeding west on Lawrence Street.

VII.

As a result of Defendant's negligence Plaintiff sustained serious injuries to his back, neck, shoulders, left ankle. He suffered headaches. He incurred a tremendous amount of medical bills and will incur future medical bills in a significant amount. Further, Plaintiff's vehicle was totaled in the crash. Further, Plaintiff suffered loss of earnings and damage to his earning capacity and capability, altered way of life and

lifestyle and great physical and emotional pain and suffering. The amount of Plaintiff's damages far exceeds \$75,000.

VIII.

Further, Plaintiff has previously timely filed with the Defendant his standard Form 95 and has transmitted to the adjuster for the government medical bills, medical records, information concerning the damages to his vehicle, as well as related bills, but has received no response from the government adjuster within the allotted time.

WHEREFORE, Plaintiff prays for such special, compensatory and general damages as are proved at trial together with his costs and disbursements herein.

### DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of all issues triable as a right by jury.

DATED this 24<sup>th</sup> day of February, 2009.

DOUBEK & PYFER, LLP

By /s/John C. Doubek  
John C. Doubek  
Attorney for Plaintiff